

235418

29 April 1997
24 June 1997T

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

ATTENTION ☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES

ALLEGATIONS

- | | |
|----|-------------------------------|
| 01 | Food Sales/Restaurant |
| 02 | Tavern/Liquor Store |
| 03 | Other Business Establishment |
| 04 | Police Building |
| 05 | Lockup Facility |
| 06 | Police Maintenance Facility |
| 07 | CPD Automotive Pound Facility |
| 08 | Other Police Property |
| 09 | Police Communications System |
| 10 | Court Room |

- | | |
|----|-------------------------------------|
| 11 | Public Transportation Veh./Facility |
| 12 | Park District Property |
| 13 | Airport |
| 14 | Public Property - Other |
| 15 | Other Private Premise |
| 16 | Expressway/interstate System |
| 17 | Public Way - Other |
| 18 | Waterway, Incl. Park District |
| 19 | Private Residence |

- | | |
|----|--|
| 01 | No Visible Injury - Apparently Normal |
| 02 | No Visible Injury - Under Influence |
| 03 | Injured, Not Hospitalized |
| 04 | Injured, Not Hospitalized - Under Influence |
| 05 | Injured, Hospitalized |
| 06 | Injured, Hospitalized - Under Influence |
| 07 | Injured, Refused Medical Aid |
| 08 | Injured, Refused Medical Aid - Under Influence |
| 09 | Deceased |
| 10 | Deceased - Under Influence |

CP_{0.05} = 2.326 (Table B.1)

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Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE PAGE TWO

SUMMARY

ATTACHMENTS

INVESTIGATIVE REPORTS— SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS— SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
6	20, 26	17	27

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS:

Allegation #1: NOT SUSTAINED against Officer Robert Poholik

Allegation #2: NOT SUSTAINED against Officers Robert Poholik and James Daniels

APPROVED:

[Redacted Signature]

OPS Acting Supervisor Michael Duffy, #14

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FINDINGS—RECOMMENDATIONS

DATE INITIATED
(DATE COMPLAINT WAS
RECEIVED FOR INVESTIGATION) 20 Mar 97

DATE COMPLETED
(DATE OF THIS
REPORT) 29 Apr 97

ELAPSED TIME
(TOTAL TIME
EXPRESSED IN DAYS) 40

Investigator will initiate the Command Channel Review form by completing the Investigator's Section

IF NECESSARY, USE A 16 X 11 DIRECT

[Redacted Signature]

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SUMMARY OF INVESTIGATION:

The victim, [REDACTED] alleged that he was with [REDACTED] when they were stopped by the police and asked to step from the car. [REDACTED] was searched and then taken to the 012th District and placed in an interview room. [REDACTED] alleged that Officer Poholik ran a name check on him and found that he had an outstanding warrant. Officer Poholik then slapped [REDACTED] a couple of times and punched him on his temple. [REDACTED] called Officer Poholik a "motherfucker" and a "son-of-a-bitch" and threatened him to a fight. With this, Officer Poholik and his partner, Officer Daniels, lifted [REDACTED] off the floor and dropped him. [REDACTED] alleged that the officers did this to him two or three times. Officer Poholik then punched [REDACTED] about his face and head until he passed out. When [REDACTED] regained consciousness, he was taken to the lockup and then to [REDACTED]

[REDACTED] was supposed to supply the reporting investigator with information on how to contact [REDACTED] but he never did supply this information.

The arrest report of [REDACTED] indicates that he was stopped for traffic violations and a name check revealed that he had an outstanding warrant.

The lockup screening report indicates that when [REDACTED] was received in the lockup, he had swelling to his left eye and that he was complaining of blurred vision. [REDACTED] told the lockup personnel that he had just been released from [REDACTED] and that he needed his medicine. He was then transported to [REDACTED]

The medical records from [REDACTED] indicate that when [REDACTED] was examined, he complained that he had been punched and kicked by the police after his arrest. The medical examination revealed swelling and discoloration under his left eye and swelling and tenderness to his leg and neck.

Officer Poholik gave a statement in the Office of Professional Standards and he related that [REDACTED] was stopped after he was observed speeding and running two traffic lights. [REDACTED] was asked to step from his vehicle and show his driver's license. [REDACTED] did not have a driver's license and was placed in custody and taken to the 012th District for processing. A name check was run on him and it came back that he had a warrant. At this point, [REDACTED] became very irate and started screaming that he was psychotic and needed his medicine. The officers informed the desk sergeant that [REDACTED] needed medicine and called for a transport because they were ending their tour of duty. Officer Poholik stated that when [REDACTED] was first taken into custody, he noticed that [REDACTED] had some puffiness around one of his eyes which appeared to be from an old injury. Officer Poholik categorically denied the allegations

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made against him.

Officer Daniels also gave a statement at the Office of Professional Standards and he related essentially the same account of his incident as Officer Poholik. Officer Daniels denied the allegations made against him.



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